
Washington Metropolitan Area Transit Commission

Jurisdiction: Frequently Asked Questions (FAQs)

This information was prepared by staff to answer commonly asked questions about WMATC jurisdiction. It is not intended to cover specific circumstances, nor is it binding on the Commission.

Q. Does my company need a WMATC Certificate of Authority?

- A. Subject to several exceptions described below, a carrier must hold a WMATC Certificate of Authority to transport passengers for hire between points within the Metropolitan District. The Metropolitan District corresponds to the Washington Metropolitan Area. Specifically, it includes the District of Columbia, the Cities of Alexandria and Falls Church, Arlington County, Fairfax County, Montgomery County, Prince George's County, Dulles International Airport, and any political subdivisions located within those areas.

Q. What is transportation for hire?

- A. Transportation for hire means transportation provided in exchange for money or other compensation. Transportation is for hire, even if it is furnished as part of an agreement to provide other services, as well.

Q. Are there any exemptions of which I should be aware?

- A. The following types of for hire passenger transportation are exempt from WMATC jurisdiction: 1) by water, air, or rail; 2) performed by the federal government, Maryland, Virginia, the District of Columbia, or a political subdivision thereof; 3) performed by WMATA; 4) in a motor vehicle employed solely in transporting teachers and children to or from schools through grade twelve; and 5) intrastate transportation performed solely between points within the Commonwealth of Virginia. In addition, WMATC does not assert jurisdiction over transportation in pedicabs without mechanical power, horse-drawn carriages, or movement of passengers as a mere adjunct to emergency medical diagnosis or treatment (ambulance service).

There is also a partial exemption for taxicabs and other vehicles performing a bona fide taxicab service (see next page).

Q. What if a carrier performs both exempt and non-exempt transportation?

- A. A carrier that performs any non-exempt transportation must hold a WMATC Certificate of Authority, even if it primarily provides exempt transportation. WMATC presumes that a carrier does not partition its fleet into exempt and non-exempt operations. Unless a carrier produces evidence that its fleet has been divided into exempt and non-exempt operations, all transportation is subject to WMATC oversight.

Q. Can I see some examples of trips requiring a WMATC Certificate of Authority?

- A. A trip falls within WMATC's geographic jurisdiction if both the trip origin and destination are in the Metropolitan District. For example, a trip from a point in the District of Columbia to another point in the District of Columbia requires a WMATC Certificate because both points are within the Metropolitan District. Similarly, a trip from Montgomery County to: 1) another point in Montgomery County; 2) the District of Columbia; or 3) any other point within the Metropolitan District requires a WMATC Certificate. A trip between Fairfax County and points in the District of Columbia, Prince George's County, or Montgomery County requires a WMATC Certificate. Note that intrastate transportation within Virginia does not require a WMATC Certificate due to an exemption in the statute, even if it is between points within the Metropolitan District. For example, a trip from Alexandria to Dulles Airport does not require a WMATC Certificate.

Q. What if a trip started outside the Metropolitan District?

- A. A chartered trip from a point outside the Metropolitan District to a point inside the Metropolitan District does not fall within WMATC jurisdiction. This is true even if trips are made between points within the Metropolitan District during a scheduled layover, provided no new passengers join the chartered party that did not originally embark at the point of origin outside the Metropolitan District.

Q. What is the partial exemption for taxicabs and other vehicles that perform a bona fide taxicab service?

A. A carrier does not need a WMATC Certificate of Authority to provide transportation in taxicabs or other vehicles that perform a bona fide taxicab service. However, WMATC retains jurisdiction to set and enforce the rates, charges, regulations, and minimum insurance requirements for these types of vehicles when performing interstate trips within the Metropolitan District. WMATC currently sets the minimum insurance requirements and rates on interstate trips to match those prescribed set by the licensing authority of the taxicab or other vehicle performing a bona fide taxicab service.

Q. What is taxicab service for purposes of the partial exemption?

A. The term taxicab is defined in the Compact as “a motor vehicle for hire (other than a vehicle operated under a Certificate of Authority issued by the Commission) having a seating capacity of 9 persons or less, including the driver, used to accept or solicit passengers along the public streets for transportation.”

Q. What is bona fide taxicab service for purposes of the partial exemption?

A. The term “other vehicles that perform a bona fide taxicab service” is defined in Regulation No. 51-09 as vehicles other than taxicabs used to perform a service that is: 1) conducted in a vehicle seating 9 or fewer persons (including the driver); 2) transportation intended in good faith to be provided only between points selected at will by the person or persons hiring the vehicle; 3) conducted in a vehicle subject to the exclusive use of the party of passengers hiring the vehicle for the entire time such vehicle is under hire; 4) priced at rates based on the duration and/or distance of the transportation rendered; and 5) conducted in a vehicle engaged solely in performing transportation as described in items 2-4.

Q. What are prices based on duration and/or distance that qualify as bona fide taxicab service?

A. WMATC has determined that flat fares to specific destinations are not duration and/or distance based and thus do not qualify for the bona fide taxicab service partial exemption. When flat fares are charged, the risk of unforeseen delays and deviations does not fall on those who hire the vehicle. WMATC has also determined that daily and weekly rates do not qualify as duration and/or distance based, within the meaning of the bona fide taxicab service definition, because such rate structures do not involve the “more immediate travel requirements” connoted by taxicab service. Hourly rates are considered duration and/or distance based.

Q. My company holds a WMATC Certificate of Authority. Does it also need federal or state passenger carrier authority?

A. You should check with the agencies that regulate transportation in the other jurisdictions in which you plan to operate. Some WMATC carriers may also need passenger carrier authority from the [U.S. Department of Transportation](#), the [Maryland Public Service Commission](#), or the [Virginia Department of Motor Vehicles](#).

Q. My driver received a ticket even though my company has WMATC authority. Is this allowed?

A. Carriers holding a WMATC Certificate of Authority must also comply with local vehicle registration laws and driver licensing laws. Some local jurisdictions require a specific type of vehicle registration when operating for hire between points in that jurisdiction and collect fees for its issuance. Furthermore, some local jurisdictions require that drivers hold a for hire driver's license, or face card, to perform for hire transportation within that jurisdiction. Vehicle registration and driver licensing requirements are not suspended by the Compact when they do not impose rate structures or regulate market entry. Carriers that receive citations from local authorities while performing transportation under a WMATC Certificate of Authority may challenge their tickets in the jurisdiction where the citation was issued.